

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PUBLIC SERVICES – Prohibition & Excise Department – Sri M. Samuel, Prohibition & Excise Sub-Inspector (Retd.), West Godavari District – Allegation of production of false and forged Matriculation Certificate - Departmental action initiated – Punishment of ten percent (10%) cut in pension permanently awarded – O.A. Filed –Orders of APAT – Fresh Show Cause Notice issued – Explanation received – Fresh Order imposing punishment of five percent (5%) cut in pension permanently – Orders – Issued.

REVENUE (VIGILANCE.V) DEPARTMENT

G.O.Rt. No.1741.

Dated:11.12.2012.

Read the following:-

- 1) G.O. Ms. No.726, Revenue (Vig.II) Deptt., dt.17.10.2002.
- 2) Hon'ble APAT Orders dt.28.07.2010 in O.A. No.7830 of 2007 filed by Sri M. Samuel, P&E Sub-Inspector (Retd.).
- 3) Memo No.1021/Vig.V(1)/2008, Dt.21.08.2010.
- 4) Sri M. Samuel, P&E Sub-Inspector (Retd.) Explanation, dt.12.11.2010.
- 5) Govt. Memo No.1021/Vig.V(1)/2008-9, dt.18.05.2012.
- 6) Sri M.Samuel, P&E Sub-Inspector (Retd.), Explanation, dt.23.08.2012

-o0o-

O R D E R :

In the reference 1st read above, a punishment of 10% cut in pension permanently was imposed against Sri M. Samuel, Prohibition & Excise Sub-Inspector (Retd.), on the allegation that he has produced a false and forged Matriculation pass certificate and got promotion as Excise Sub-Inspector, which was held proved during the enquiry.

2) Aggrieved by the above, the individual has approached the Hon'ble A.P. Administrative Tribunal by filing O.A. No.7830 of 2007.

3) In view of the circumstances laid down, in the O.A.No.7830 of 2007 the Hon'ble A.P. Administrative Tribunal have declared *the impugned order issued in G.O.Ms.No.726, Dt:17.10.2002 by the Government imposing 10% cut in the pension as illegal and is accordingly set-aside. In the result, allowed the O.A. leaving it open to the respondents to issue fresh show cause notice along with Enquiry Officer's report and to receive the explanation for the same and to pass appropriate orders as per rules* (reference 2nd read above).

4) Accordingly, a Show Cause Notice was issued to the Charged Officer (reference 3rd read above).

5) In the reference 4th read above, Sri M. Samuel, Prohibition & Excise Sub-Inspector (Retd.) has submitted his explanation stating that the Officials of Andhra University have confirmed that the Certificate was issued by the University. He has requested the Government to drop further action against him and restore his pension already cut.

6) Government, after examination of the explanation submitted by the Charged Officer in detail, observed that the Andhra University officials have stated that the University has issued a failed Matriculation Certificate with Reg. No.1141 during March, 1977 to the Charged Officer and the Tabulation Register of the University also reveals that the individual got the following marks:

Telugu - 35 (Thirty five), English - 28 (Twenty eight),
General Maths: - 44 (Forty four), History - 26 (Twenty six),
General Science: - 05 (Five).

(P.T.O)

::2::

7) Government have also observed that the Charged Officer failed to put forth any new grounds or fresh material to consider his representation for dropping of further action to differ from the conclusions arrived at by the Enquiry Officer.

8) Therefore, Government have provisionally decided to impose a punishment of 10% cut in pension permanently.

9) Hence, in the reference 5th read above, Sri M. Samuel, Prohibition & Excise Sub-Inspector (Retd.) was directed to submit his representation if any on the above provisional decision of the Government within fifteen (15) days from the date of receipt of the Memo, failing which further action will be taken based on the material available.

10) In the reference 6th read above, the individual has submitted his explanation to the Show Cause Notice.

11) Government, after careful examination of the explanation submitted by Sri M. Samuel, Prohibition & Excise Sub-Inspector (Retd.), West Godavari District., have observed that neither his elucidation is convincing nor he has submitted any material evidence to prove his innocence. However, considering his service to the department, Government have decided to revise its earlier decision i.e., imposition of ten percent (10%) cut in pension permanently to that of five percent (5%) cut in pension permanently.

13) The Commissioner of Prohibition & Excise, A.P., Hyderabad shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner of Prohibition & Excise, A.P., Hyderabad.

Sri M. Samuel, Prohibition & Excise Sub-Inspector (Retd.)

(Through): The Commissioner of Prohibition & Excise,
A.P., Hyderabad.

The Deputy Commissioner of Prohibition & Excise, West Godavari District.

The Director of Treasury & Accounts, A.P., Hyderabad.

The Account General, A.P., Hyderabad.

File/SF/SCs.

//FORWARDED :: BY ORDER//

SECTION OFFICER